

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

Westbrookville Post Office
Westbrookville, New York

Docket No. A2016-1

**UNITED STATES POSTAL SERVICE MOTION TO DISMISS
PROCEEDINGS AS MOOT**
(June 1, 2016)

The Postal Service moves to dismiss Petitioner's appeal as moot in light of a change in the status of the Westbrookville Community Post Office (CPO). This matter commenced with a letter to the Postal Regulatory Commission that purports to invoke its jurisdiction under 39 U.S.C. § 404(d) to consider an appeal of a Postal Service decision to close the Westbrookville CPO, which is a contractor-operated retail facility.¹

Since Petitioner filed her Notice of Appeal and Request for Review of Westbrookville, NY Post Office Closure,² the Postal Service executed an extension on the supplier contract at the Westbrookville facility, which allowed service to continue through May 31, 2016. On May 31, 2016, a permanent contract with a new supplier for the Westbrookville facility was executed to provide continued service to the community. At no point was the Westbrookville Post Office closed, and since operations will continue, any action under 39 U.S.C. § 404(d) should be considered moot.

¹ Notice of Appeal and Request for Review of Westbrookville, NY Post Office Closure, received from Marcelle Matthews, Esq. on behalf of Marlene Roe, regarding the Westbrookville, NY Post Office 12785, PRC Docket No. A2016-1 (March 17, 2016).

² Id.

The Postal Service therefore respectfully requests that these proceedings be dismissed as moot.³

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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³ In filing this Motion, the Postal Service does not intend to waive any arguments previously raised in its Motion to Dismiss Proceedings, filed in this docket on March 28, 2016.